

Response
Serial No. 10/695,643
Attorney Docket No. 032057

REMARKS

Claims 1-32 and pending.

CLAIM REJECTIONS – 35 U.S.C. § 103

The Office Action rejects claims 1, 3, 5 and 8 under 35 U.S.C. §103(a) as being unpatentable over *Natori et al.* (2003/0021079) in view of *Nam* (2003/0057464) and further in view of newly cited *Lauder* (4,110,254). *Lauder* is cited for its disclosure of Ir in a perovskite-type ABO₃ crystal structure, where the type A and type B sites are occupied by Ir atoms.

Lauder was a 1978 patent designed to promote “gaseous oxidation and reduction reactions, particularly in the cleanup of exhaust gases of internal combustion engines.” In order for the Examiner’s contention to be correct, that it would have been obvious for one skilled in the art to combine the cited references, it must be shown that it would have been desirable, and thus obvious to combine the above cited references. *See* MPEP § 2143.01. The prior art must suggest the desirability of the claimed invention.

Given that the current invention pertains to a ferroelectric capacitive memory storage device, and that the newly cited *Lauder* invention pertains to reducing emissions in an internal combustion engine, there is no apparent basis for combining or modifying the references to arrive at the current invention. The *Lauder* invention and the prior art reference involve two distinct areas of art, which when taken together, do not provide any reason to combine.

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The different uses of the perovskite-type ABO_3 crystal structure with Ir atoms in the type A and type B sites, would not lead a person ordinarily skilled in the art to combine the prior references with *Lauder*. The prior references provide no motivation to combine, either implicitly or explicitly. The Office Action gives no support or explanation that it would have been obvious to combine the Lauder reference with the *Natori* and *Nam* reference.

In view of the aforementioned remarks, Applicants submit that that the claims, as presently written, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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